

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 22-cr-101(2) (KMM/TNL)

Plaintiff,

ORDER

v.

Brendan Lumbert,

Defendant.

This matter is before the Court on the Government's Response to Defendant's Rule 12.2 Notice of Insanity Defense, ECF No. 107. In response to Defendant's Rule 12.2(a) Notice of an Insanity Defense, ECF No. 102, the Government moves for a mental examination of Defendant pursuant to 18 U.S.C. §§ 4242(a) and 4247(b). *See* ECF No. 107 at 1. Pursuant to 18 U.S.C. § 4242(a):

Upon the filing of a notice, as provided in Rule 12.2 of the Federal Rules of Criminal Procedure, that the defendant intends to rely on the defense of insanity, the court, upon motion of the attorney for the Government, shall order that a psychiatric or psychological examination of the defendant be conducted, and that a psychiatric or psychological report be filed with the court, pursuant to the provisions of section 4247(b) and (c).

Therefore, the Government also requests that the Court order a report to be prepared pursuant to 18 U.S.C. § 4247(c)(4)(B). *See* ECF No. 107 at 1.

Accordingly, based upon all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Government's Response to Defendant's Rule 12.2 Notice of Insanity Defense, ECF No. 107, is **GRANTED**.

2. The Court will set the arraignment once the mental examination of Defendant pursuant to 18 U.S.C. §§ 4242(a) and 4247(b) is complete. Therefore, the parties shall meet and confer and submit a joint status letter to the Court 14 days after completion of Defendant's mental examination pursuant to 18 U.S.C. §§ 4242(a) and 4247(b).

Date: July 12, 2024

s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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